

**Rocky Flats Coalition of Local Governments Board Meeting Minutes**  
**Monday, September 9, 2002**  
**8:30 – 10:40 a.m.**  
**Mt. Evans Room in the Terminal Building**  
**Jefferson County Airport, Broomfield**

**Board members in attendance:** Hank Stovall (Director, Broomfield), Tom Brunner (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Sam Dixon (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Lorraine Anderson (Director, Arvada), Ken Fellman (Alternate, Arvada), Clark Johnson (Alternate, Arvada), Paul Danish (Director, Boulder County), Jane Uitti (Alternate, Boulder County), Karen Imbierowicz (Director, Superior), Nanette Neelan (Alternate, Jefferson County), Mike Weil (Alternate, City of Boulder).

**Coalition staff members and consultants in attendance:** David Abelson (Executive Director), Kimberly Chleboun (Program Manager), Melissa Anderson (Technical Program Manager), Barbara Vander Wall (Seter & Vander Wall, P.C.).

**Members of the Public:** John Corsi (Kaiser-Hill), Dave Shelton (Kaiser-Hill), Bob Nininger (Kaiser-Hill), Lane Butler (Kaiser-Hill), Dyan Foss (Kaiser-Hill), Eugene Schmidt (DOE), Rick DiSalvo (DOE), Joe Legare (DOE), Liz Wilson (DOE), Dean Rundle (USFWS), Laurie Shannon (USFWS), Mark Sattleberg (USFWS), Tim Rehder (EPA), Steve Gunderson (CDPHE), Marion Galant (CDPHE), Jerry Henderson (RFCAB), Patricia Rice (RFCAB), Paula Elofson-Gardine (EIN), Doug Young (Congressman Udall), Kristi Pollard (Senator Allard), Nancy Hunter (Congressman Schaffer), Phil Cruz (RFSOIU #1), Bob Lynch (RFSOIU #1), Shirley Garcia (Broomfield), Al Nelson (Westminster), Nancy Lemein (Arvada).

**Convene/Agenda Review**

Chairman Dixon called the meeting to order at 8:40 a.m.

**Business Items**

**1) Motion to Approve Consent Agenda** – Lorraine Anderson motioned to approve the consent agenda. Hank Stovall seconded the motion. The motion passed 5-0 (Superior and the City of Boulder were not yet present).

**2) Executive Director's Report** - David Abelson noted that most of the past month had been dedicated to completing the Coalition end-state position paper and he looked forward to discussing it today. Second, he referred to the timing for applying for grant money through DOE's Office of Worker and Community Transition. David explained that congressional spending bills are currently behind schedule, thus it will be mid-November before DOE starts the annual funding process. This should not impact Coalition finances. Third, David discussed

Rocky Flats' monthly and quarterly progress reports and said cleanup continues to be ahead on schedule and scope, continuing a nine month trend. He also stated delays in shipping materials to the Savannah River Site and other contractual obligations DOE has not been able to meet have resulted in the target cost for the contract being increased by \$10 million. Another \$37 million in contract adjustments relating primarily to changes in the WIPP acceptance criteria and increased security costs is pending review. Senator Allard is trying to get more funding from Congress to cover added security measures. Fourth, David reviewed the schedule for USFWS public scoping meetings next week. He said the Coalition may want to submit comments, and added that staff is scheduling the next refuge subcommittee meeting where they will address this option. Fifth, David reviewed the USFWS draft rule designating critical habitat for the Prebles Meadow Jumping Mouse. Designation on Rocky Flats includes the stream plus 360 feet outward from each side of the stream, and includes Rock Creek, Walnut Creek, and Woman Creek drainages. The designation could potentially impact remediation of the Original Landfill and the B-series ponds, although DOE and USFWS have stated they do not believe it will stop or significantly alter any remediation plans. However, it may slow down the process and require DOE to take additional steps to mitigate negative impact to the mouse and its habitat. Paul Danish asked if habitat in these three drainages received year-round flow. David said no. Paul said it troubled him that this habitat was designated critical, and might impact cleanup, when it may not even have water in it. Nanette Neelan said USFWS had just extended the comment period another 60 days.

### **Public Comment**

There was no public comment at this time.

### **Meet with Eugene Schmitt**

Eugene Schmitt, the new Rocky Flats' manager, began by describing his 30-year career with DOE and noted he had worked with Al Alm to help create the accelerated closure approach in order to close as many sites possible by 2006. He said Rocky Flats is a premier closure site and holds special significance locally and nationally. Gene then listed his priorities at Rocky Flats, citing safety as his number one priority. He said he is learning first-hand how challenging it is to operate a large complex with so much dangerous industrial work, and although they still have radiological concerns most concerns lie with the industrial activities. He also said helping federal and contract employees find employment is a priority.

Gene stated closure in 2006 remains his goal, and the Site is doing very well in light of the positive cost and schedule variances. He said work within the next year would be very telling and they should have a much more firm idea of the actual closure date at this time next year. Gene expressed his appreciation for the stakeholders, saying he intends to learn more about local concerns. He noted he has already heard from stakeholders about the importance of end-state and long-term stewardship, and he intends to continue an open dialogue with the community.

Tom Brunner stated that many members of the community have been involved in Rocky Flats issues for quite some time, but many managers have come and gone. Thus, he asked Gene if he saw himself remaining onsite until closure. Gene responded that he hoped to be here, but he honestly did not know for sure, citing the current Department policy to rotate senior officials. He said what is important is that DOE is committed to cleaning up the Site and honoring its responsibility for long-term stewardship, no matter who is the Site manager. Lorraine Anderson recognized it is a difficult site to work on and appreciated his goal of safety first, and said Site employees are also their citizens. She also wanted to emphasize Arvada's continued concern over a cleanup that will meet safety standards for the community. Hank Stovall also said he was encouraged Gene listed safety as a major concern as employees are their constituents, and they are also working themselves out of jobs. Hank said he hoped job cuts would be judicious and save taxpayers money rather than windowdress. He also said it is important that end-state truly be low risk with no surprises, as it would not serve anyone to have to perform additional remediation in ten years. Hank also suggested that Gene address city councils and perhaps televise meeting in order to lend DOE credibility and tell the broad public about the Site's mission and how they intend to accomplish it. Gene said he would be happy to do that. Tom asked if it would be possible for the community to schedule regular meetings with Gene, and Gene said he already intends to arrange that as he believes the former quarterly manager's meetings were not frequent enough. Sam Dixon said she appreciated the quarterly meetings as a good forum for communication with the Site manager.

David Abelson asked Gene what he saw as key challenges for the upcoming year, and key issues for local governments to consider. Gene replied that a key cleanup challenge is plutonium stabilization and shipping. The plutonium stabilization and packaging system is a difficult machine to keep running well and has frequent disruptions, although they have maintained production to keep up with the shipping schedule. He said they hope to complete this task within four to five months. As far as key issues, Gene said they must reach agreement on the integrated end-state and move on to other closure issues as the schedule is moving rapidly and the Site is quickly moving into restoration. He also said long-term stewardship is key since monitoring will be required indefinitely. Gene stated there will most likely not be a manager onsite after closure in 2006, but Rocky Flats will remain a DOE responsibility and the communities must be comfortable with the situation post-closure.

### **Discussion and Approval of Coalition Draft End-State Position Paper**

Hank Stovall made the motion to approve the Coalition's draft End-State position paper. Lorraine Anderson seconded the motion. Discussion followed.

Paul Danish said he is going to oppose the paper. Although he understands the need for "half a loaf", he said he believes the price is too high. He stated he thought the paper would come back to bite the Coalition. Hank Stovall said he is going to support the paper as the community must weigh in if they want to be part of the process, working with the Site to identify core issues that could affect the community long-term. He noted the radionuclide soil action levels had come a long way, from 651 picocuries per gram down to 50. The tradeoff may be that where there is a

95% certainty no pathways exist, risks are low, and monitoring is robust, then materials may be left behind. Hank stated the Coalition must come up with the best possible prioritized cleanup, where risk to the surrounding community is substantially reduced, to the extent the funding is available. He added the Coalition would continue to work to resolve items of disagreement. Ken Fellman agreed and said Arvada accepts the fact that they would not be getting a perfect cleanup, but unless the Coalition weighs in with the best possible decision available, then there is no role for the Coalition. He stated that Arvada supports the positions in the paper. Mike Weil asked David what decision Lisa Morzel had conveyed. David said Lisa had called him September 3 and said she wanted to vote no as she is concerned about the sufficiency of money to complete the work. Her concern is over the end-state conversation not including the Original Landfill and other big projects. David said he tried to explain that if the landfill costs more then there would have to be an adjustment to the contract and that the end-state conversation falls within the context of no changes to the target cost. However, Lisa views the nature of the end-state conversations differently. Sam Dixon said although the paper does not contain everything Westminster would like and certain details must still be negotiated, they will support it. Nanette Neelan said Michelle Lawrence thought it necessary to comment on the end-state issues and frame the Coalition concerns, thus Jefferson County would support the paper.

Hank Stovall's motion to support the Coalition end-state position paper was put to a vote. The motion passed 5-2 (Boulder County and the City of Boulder cast the dissenting votes).

David noted he used a provision in the Intergovernmental Agreement for minority opinions, and the paper would include the statement that the paper did not have the support of Boulder County or the City of Boulder. David further noted that the language concerning Boulder County's position was supplied by Paul Danish.

### **Original Landfill Remediation**

Melissa Anderson explained that today's presentation would be an overview of the Original Landfill status. Presentations in October and November will cover studies that will also impact remediation of the landfill: Site Wide Water Balance and Actinide Migration Evaluation. Melissa said in December the Board will continue to identify landfill remediation issues, and the Site expects to issue their draft remediation strategy.

Dave Shelton (Kaiser-Hill) began by presenting a map and photographs of the Original Landfill, illustrating its location and relief. Dave explained this particular remediation site includes IHSS 115, the Original Landfill, and IHSS 196, the Filter Backwash Pond. He described the history of these two sites. A human health risk assessment was completed in the mid-1990s which evaluated potential human health risks for applicable receptors under current and potential future land-use conditions, assuming no remedial action. The calculated risk for a future onsite ecological researcher was  $1 \times 10^{-6}$ , based on the data at that time.

Dave then described characterization efforts, including surface and subsurface soil, and surface and ground water sampling. He also provided maps reflecting sampling locations and results.

Dave stated surface soil characterization consisted of 7,568 validated analyses from 70 locations, with uranium above Tier 1 at four locations, non-rads above Tier 1 at one location, and non-rads (primarily semi-volatile organic compounds [SVOC]) above Tier II at 24 locations. Subsurface characterization consisted of 24,964 validated analyses from 45 boreholes and 175 samples taken down to bedrock, with non-rads above Tier II at 12 locations. Groundwater characterization consisted of 31,171 validated analyses performed on 213 samples from 50 sampling points, with uranium above Tier 1 at two points, and non-rads (primarily pesticides and VOCs) above Tier II at 14 locations. Paul Danish asked what type of pesticide and Dave responded it is dieldrin. Dave also described surface water characterization as consisting of 25,384 validated analyses performed at 15 locations, with no evidence that the landfill is impacting surface water. He confirmed they looked for all manner of contaminants but found no plumes or concentrations.

Dave explained that the uranium is from when two drums, containing approximately 60 kilograms of depleted uranium, spontaneously ignited in the back of a truck and were dumped in the center of the landfill. The Site eventually went back and removed as much as they could, about 75%. Dave was not sure when the drums were dumped, and Melissa said the attempt to remediate the uranium occurred in 1979. Paula Elofson-Gardine asked if the uranium was related to when the Site made tank armor using depleted uranium, and Dave said not that he knew of. David Abelson asked the basis for well locations, and if there was a connection between where the hits occurred and where the wells were placed. Dave said the wells at the lower edge catch water flowing downhill leaving the landfill, but placement was 15 years ago so he was not sure. Nanette questioned the surface water monitoring locations to the east and asked why they were upgradient instead of downgradient from the landfill. Bob Nininger (Kaiser-Hill) said they will be installing a new location downgradient.

Dave said that given this characterization data, they developed the following three remedial action objectives:

- Prevent direct human and ecological exposure to contaminated soil, and fill material from mass wasting or erosion for contaminants of concern;
- Protect surface water quality by reducing the migration of contaminants via the groundwater pathway; and
- Configure and vegetate the Original Landfill site to a condition that is compatible with a wildlife refuge future land use.

Dave then described the four proposed alternatives for remediating the landfill. Alternative 1 is no remedial action. This alternative would not disturb the Preble's Meadow Jumping Mouse habitat and would provide a cost savings. However, mass wasting could require action in the future, and it would require long-term monitoring and maintenance. Alternative 2 is to regrade the landfill and then cover it. It would include groundwater controls to improve landfill stability, regrading to reduce overall slope and thus mass wasting, and a cover to minimize precipitation infiltration. This alternative would address stability issues, but may increase risk to workers by cutting into the landfill, and would impact wetlands and Preble's habitat. It would also require long-term monitoring and maintenance. Alternative 3 is a cover. It would also include groundwater controls and a cover, but with buttresses to enhance stability. This alternative

would address stability issues, but would impact Preble's habitat and require long-term monitoring and maintenance. Alternative 4 is excavation, with two options for disposing of waste. Alternative 4a assumes all of the material would go offsite as solid, low level and/or mixed waste, and 4b assumes the low level and/or mixed waste would be disposed of offsite and the remaining material relocated onsite. The potential risk to the workers excavating the landfill would be significant, it would impact Preble's habitat, and the cost could be as much as ten times greater than the next closest alternative. Alternative 4a would not require any long-term monitoring or maintenance. Dave noted the regulators had suggested Alternative 4c, which would relocate all materials onsite.

Melissa Anderson asked the difference in cost between 4a and 4b. Dave said costs for 4a could run as high as \$200 – 250 million for total removal offsite, but he does not know about cost for 4b, onsite disposal. Lorraine Anderson asked if remediation actually cost this much, what other projects in the contract the Site would have to compromise. Dave said this figure is what remediation of the landfill could cost regardless of the contract. He also said to keep in mind the total amount dedicated to environmental remediation in the baseline is \$427 million. Hank Stovall asked what was the incremental baseline cost for remediation of the landfill, and Dave answered it was \$25 million based on the assumption it would be stabilized and capped.

Finally, Dave reviewed their schedule. They expect to achieve informal concurrence on a recommended alternative by October 2002, approve the Interim Measure/Interim Remedial Action by March 2003, initiate action by Spring 2004, and complete cleanup by Fall 2005. David asked why they needed to approve the cleanup document by December if they were not going to start remediation until Spring 2004. Dave said it is due to the amount of engineering work and development that would have to be done once the alternative is approved.

Dean Rundle (USFWS) asked for the Site's best guess on the volume of waste present in the landfill. Lane Butler (Kaiser-Hill) said that based on the records of the amount disposed, it is 75,000 – 80,000 cubic yards. However, they estimate the amount of materials that would have to be excavated as high as 300,000 cubic yards, based on the soil placed over the waste, movement of the waste, and mixing that will occur during excavation. Dean asked about landfill thickness, and Dave said the landfill runs as deep as 15 feet, and then feathers out. Paul asked about the landfill contents, and Dave said it is mostly construction waste from the first 30 years of Site operations, thus metal, concrete, and wood. Paul asked if the uranium is only from the two drums mentioned previously. Dave said it is hard to separate folklore from reality, but what they do know is that they find depleted uranium on the surface and not subsurface which lends credence to this story. He added that sampling data also support this. Paul said that given Rocky Flats' bad experiences with barrels over the years it is easy to believe there are many barrels covered up within the landfill, and no way to know what is really out there. Dave said it is possible there are things they do not know, as is the case with statistical sampling. He said what they do know is whatever is in the landfill is not causing any serious groundwater contamination or plumes.

Ron Hellbusch stated the Woman Creek basin has the biggest impact on Stanley Lake as the creek bypasses pond C2 and the South Interceptor Ditch (SID) does not capture all the runoff from the landfill. He said this suggests there could be some contamination leaving the landfill that is not intercepted by the SID; what gets past C2 is of concern even with water protections in place. Ron emphasized that surface water protection is an issue the Site will continue to hear from the community. Dave said that is why surface water protection is a remedial objective and they continue to monitor impacts to surface water.

Tom Brunner asked if the 881 Hillside is separate from the Original Landfill and Backwash Pond. Dave said this was a separate IHSS with previous work including a separate interceptor trench. They had planned source removal, but found nothing to remove. He explained there were some areas on the hillside where it was believed solvents had been dumped, and they still do get surface contamination runoff, which is another reason they are keeping the SID in place after closure. Paul asked if they considered the tradeoff between contamination eventually being released opposed to complete removal, and Dave responded that would be considered during the alternatives analysis. Paul asked how long it would take to remove everything, and Dave said perhaps one year. Paul then asked if remediation work would require draining Woman Creek Reservoir to ensure no contamination gets in it. Dave answered no, but they would monitor and carefully control surface water on the construction site. David Abelson added that the reservoir is not an actual drinking water supply, but three different chambers which do not all contain water all of the time.

Sam asked if there was some way they could test to look for barrels. Dave said there was ten years of investigation with geophysical work to identify waste locations, but he did not know if techniques would show the dense material of a drum. Paula asked about lateral movement through the landfill, and Dave said there is movement but none of the contaminants have left the boundary of the landfill. Paula asked over what time period did analyses occur, and Dave answered between 1985 and 1995, although there is current surface and groundwater monitoring. Paula said retired workers had reported large equipment buried in the landfill, and asked about ground imaging for large objects. Dave said he was not sure what the employees had said and was not aware of any indication of large pieces of equipment there, but he would check. Paul also suggested that if any depleted uranium had been mishandled the landfill would be a good candidate for its location.

David referred to the critical habitat designation and asked how it could affect the landfill timeline and decision making process considering these alternatives are based on the current designation of 100 feet. Dave said they have already been consulting with USFWS on this issue, and referred to a map which outlines how the habitat is already within the landfill border. He said the habitat issue is already being integrated and will factor into the cleanup decision. Nanette said they would also need to determine if this is really good habitat. Dean said the listing process requires consultation on potential impacts on habitat defined in this area, but he urged the Board not to see this as a train wreck between cleanup and species conservation. He said it is something they would be able to work out. Lorraine said human health and safety must

be put before mouse habitat. Paul noted they could also mitigate habitat, especially if the habitat is fragmented.

Hank Stovall asked if they intended to drill any more boreholes between now and the time of the decision. Dave said he did not believe so, and Lane added they may have to drill holes to obtain data for the potential barriers for stability.

### **Round Robin**

**Arvada** – Lorraine Anderson referred to plans to test Rocky Flats deer for chronic wasting disease on September 14<sup>th</sup>, and asked USFWS not to dispose of the carcasses onsite. Dean Rundle responded that this is a Colorado Division of Wildlife project, although USFWS is working with them on this issue. He said according to normal sampling protocol the carcasses would be completely removed from a site.

David Abelson said he had received a response from Jessie Roberson to the February Coalition letter addressed to Secretary Abraham regarding plutonium shipments. He provided copies of the letter addressed to Sam Dixon, although he had received individual letters addressed to each Director.

### **Public Comment**

Paula Elofson-Gardine suggested the Site take the opportunity to test the above mentioned deer carcasses for radiological isotopes as well.

### **Big Picture**

David Abelson reviewed the Big Picture. At the October meeting the RFCA parties will respond to the Coalition's end-state letter and the Board will also consider the actinide migration evaluation study. David also suggested that if time allows the Board consider canceling the January meeting. Ken Fellman questioned whether this would be possible as the Coalition would need to be developing the March lobbying packet at that time. David described how it may still be possible.

The meeting was adjourned by Sam Dixon at 10:40 a.m.

Respectfully submitted by Kimberly Chleboun, Program Manager

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